

01/26/01
Jc951 U.S. PTO

11-29-01

A/RE

Attorney's Docket No. IDS-11703/14

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: Jan. 26, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Jc966 U.S. PTO
09/771227
01/26/01

REISSUE APPLICATION TRANSMITTAL

Transmitted herewith is the application for reissue of U.S. Patent
No. 5,862,921 issued on Jan. 26, 1999

Inventor(s):

Title:

Enclosed are the following:

1. Specification, claim(s) and drawing(s)

- (a) ☒ 5 page(s) of specification
☒ 18 page(s) of claims
☒ 1 page(s) of abstract

NOTE: This must include the entire specification and claims of the patent, with the matter to be omitted by reissue enclosed in square brackets. Any additions made by the reissue must be underlined, so that the old and new specifications and claims may be readily compared. Claims should not be renumbered. The numbering of claims added by reissue should follow the number of the highest numbered patent claim.

- (b) ☒ 3 sheet(s) of drawing
☒ formal
☐ informal

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 1/26/01, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET 194297398 US essed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Sheryl L. Hammer

(type or print name of person mailing paper)

Sheryl L. Hammer

Signature of person mailing paper

NOTE: Each paper or fee referred to as enclosed herein should have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 CFR 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

- ☐ No changes in the drawings, upon which the original patent was issued, are to be made. Therefore, in accordance with 37 CFR 1.174, please find attached, in the size required for original drawings:

- ☐ a copy of the printed drawings of the patent.
☐ a photoprint of the original drawings.

2. Declaration and power of attorney

☒ 6 pages of declaration and power of attorney

3. Preliminary amendment

(check, if applicable)

- ☐ Attached

4. Offer to surrender the original letters patent in accordance with 37 CFR 1.178 is attached.

- ☒ Offer to surrender is by the inventor
☐ along with assent of assignee.
☐ Offer to surrender is by the assignee of the entire interest (and the reissue application does not seek to enlarge the claims of the original patent).

5. Letters patent

- ☐ Original letters patent are attached.
☐ Declaration that original letters patent lost or inaccessible

NOTE: "The application may be accepted for examination in the absence of the original patent or the declaration but one or the other must be supplied before the case is allowed." 37 CFR 1.178.

NOTE: "If a reissue be refused, the original patent will be returned to applicant upon his request." 37 CFR 1.178.

6. Title

In accordance with 37 CFR 1.171, this application for reissue is accompanied by

- ☐ a certified copy of an abstract of title.

or

- ☒ an order for an abstract of title.

7. Information Disclosure Statement

(check, if applicable)

- ☐ Attached

8. Priority—35 U.S.C. 119

- ☐ Priority of application Serial No. 0 / _____, filed on _____, in _____ is claimed under 35 U.S.C. 119.
Country
☐ The certified copy has been filed in prior application Serial No. 0 / _____ filed on _____.

9. Fee Calculation (37 CFR 1.16 (h), (i) and (j))

CLAIMS AS FILED			
Number Filed	Number Extra	Rate	Basic Fee (37 CFR 1.16(h))
			\$750.00 \$710.00
Total Claims (37 CFR 1.16(j))	36 – 20 (and also in excess of total claims in patent)	\$18 X \$22.00	–0–
Independent Claims 37 CFR 1.16(i)	16 – (number of inde- pendent claims in patent)	\$80.00 X \$78.00	–0–
Filing fee Calculation			\$ 710.00

NOTE: Multiple dependent claims are treated as ordinary claims for fee purposes. 37 CFR 1.16(j).

10. Small Entity Status (if applicable)

NOTE: A new verified statement is required for the reissue, even if one has been filed in the original patent.

- ☒ A verified statement that this filing is by a small entity is
☒ attached.

Filing Fee Calculation (50% of above) \$ 355.00

NOTE: If a verified statement is filed within 2 months of the date of timely payment of a fee, then the excess fee paid will be refunded on request. 37 CFR 1.28(a). Effective April 1, 1984.

11. Method Of Payment of Fees

- ☒ Enclosed is a check in the amount of \$ 380
☐ Charge Account No. _____ in the amount of \$ _____
A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

12. Authorization To Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 07-1180 :

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☐ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☐ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 CFR 1.17 (application processing fees)

WARNING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a), this authorization should be made only with the knowledge that "[s]ubmission of the appropriate extension fee under 37 C.F.R. 1.136(a) is to no avail unless a request or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

☐ CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).

NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss if entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.


SIGNATURE OF ATTORNEY

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Practitioner's Docket No. IDS-11703/14

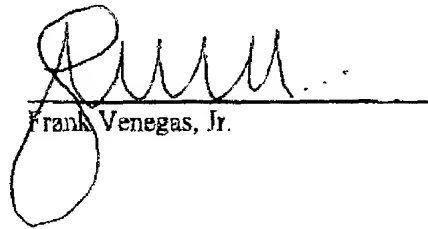
**REISSUE APPLICATION BY INVENTOR, OFFER TO SURRENDER
(37 C.F.R. §1.178)**

To the Assistant Commissioner for Patents.

The undersigned makes this statement as part of the accompanying reissue application for the reissue of U.S. Patent No. 5,862,921 for an improvement in CART CORRAL, granted January 26, 1999, to Frank Venegas, Jr., who is the owner of the entire interest in said original patent, and hereby offers to surrender said Letters Patent.

Filed herewith is a request for abstract of title, and payment of the fee required by 37 C.F.R. §1.19(b)(4) as required in reissue applications.

Date: Jan. 26, 2001


Frank Venegas, Jr.

003743-01004
T09210-627260